MGN

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE, CIVIL JURISDICTION

FERA APPEAL STAMP NO.6676 OF 2007

Feroz Kasam Penwala.....Appellant

Vs.

The Officers of Directorate
of Intelligence & Ors. ..Respondents

Smt. A.M.Z. Ansari for the Appellant.
Mr. A.S. Rao with Mrs. S.V. Bharucha for the Respondents

CORAM: F.I. REBELLO &
J.P.DEVADHAR,JJ.
DATED: 27TH JULY,2007

P.C.:

. This appeal is directed against the order of pre-deposit. The contention urged on behalf of the Appellant is that in the proceedings under the Customs Act a fine has already been imposed and under these circumstances the pre-deposit should not have been ordered . It is not possible to accept that contention considering that there is no bar of proceedings under the provisions of the Foreign Exchange Regulation Act, 1973 even though proceedings had been commenced against a person under the provisions of the Customs Act. In the light of that no case made out. Appeal dismissed.

(J.P. DEVADHAR, J.) **(F.I. REBELLO, J.)**